



Governor's 2012 Task Force on the study of Kentucky's Alcoholic Beverage Control Laws

Local Option Committee Meeting – August 29, 2012

Committee Chair – Tony Dehner, Commissioner,
Kentucky Department of Alcoholic Beverage Control

Minutes

A committee meeting of the 2012 Governor's Task Force **Local Option Committee** was held August 29, 2012 at 10:30 a.m. at the offices of the Department for Local Government, 1024 Capital Center Dr., Ste. 340, Frankfort, Kentucky.

Introductions: Chair Tony Dehner welcomed members of the Local Option Committee.

Opening Remarks: Committee Chair Tony Dehner called the meeting to order and gave a brief overview of the creation of the Task Force.

Roll Call:

Committee Members Present: – Chairman Tony Dehner, ABC Malt Beverage Administrator Stephanie Stumbo, ABC Distilled Spirits Administrator Danny Reed, Secretary Public Protection, Bob Vance, Chief of Staff – Office of the Governor, Larry Bond, KRA, Gay Dwyer, Large Brewers Assoc., Jitter Allen, KACo, Jerry "Peanuts" Gains, KLC and Mayor City of Midway, Tom Bozarth, Senator Tom Buford, Senator Jimmy Higdon, and LRC – House, Scott Jones (representing Representative Clark).

Committee Members Absent: – Representative Clark (but was represented by Scott Jones)

Others Participants Present: Steve Humphress, General Counsel, Kentucky ABC, John Clay, retired ABC Commissioner, Tyler Madison, DOA, Mary Sue Helm SOS-BOE, Lynn Zellen, SOS, Barbara Atwood, TAHC, Becky Gorman, TAHC, Russ Woodward, AB, Karen Lentz, KBR, Roger Leasor, KBR, Judy Piazza, LRC-S-Majority, Ashley Parrott, OOG, Stacy Kula, Industry Attorney-Fayette Co., Maryellen Allen, SBE, Leo Camp, Industry Attorney-Jefferson Co., Leigh Powers, TAH – OLS, Eric Gregory, KDA, Pam Jenkins, WIA, Neil Willinghamurst, KRF, Tim McGurk, Kroger, Chris Nolan, MML&K, Nicole Pang, Asst. Attorney General, David Smith, ABC Board Attorney, Jason Trudean, KBEW, John Harris, KBWA, Gene McLean, KBWA, Tara McGuire, Bluegrass Prevention-State Alcohol PES, Renee Jackson, Downtown Lex., Corp., Burt May, KLG – Attorney, Ron Geoghegan, DISCUE, Bryce Amburgey, LRC – L & O, and Ted Mason, KGA & CSA.



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General Purposes of Local Option Committee: Chairman Dehner advised those present that the purpose of this Committee is to revise, modernize, and simplify KRS Chapter 242, Local Option statutes and make recommendations for changes.

Objectives: This Committee will review KRS Chapter 242 and address problems caused by the creation of special limited wet elections; incorporate all local option laws into KRS Chapter 242; examine statutes that address local option, primary, and general election day sales; examine different treatment of cities and counties for wet elections and second elections; examine certain class cities vs. types of local option elections.

Timeline and Requirements: The final report of recommendations from this committee is due to the Task Force in late November 2012 or early December 2012. A final report from the Task Force is due to the Governor January 15, 2013.

Deliverables: Binders were distributed to each committee member containing educational, historic, and other information relating to Kentucky's current local option laws.

Local Option Overview: Steve Humphress gave an overview of the history of Kentucky's alcoholic beverage local option statutes and regulations since 1877. Mr. Humphress identified some of the problems with KRS Chapter 242 and other statutes relating to local option elections.

Committee Assignments: Chairman Dehner discussed the need to clarify some local option election laws in KRS Chapter 242 and 243 by at least moving them into the proper chapters where they belong and create a better definition of "Territory," revise and reenact the "County Unit Rule," and, at the least, simplify some of the local option election statutes that cause a great deal of confusion for the industry and local governments. Chairman Dehner reiterated the goal of the committee is to clarify KRS Chapter 242 while trying to develop changes to bring modernization and simplification to the local option election statutes. Senator Tom Buford suggested we provide a list of everyone's comments which can be shared and used to study these issues. Chairman Dehner asked the committee members and participants to review the existing local option laws and materials distributed and examine those issues we identified as problems and prepare to discuss these at the next meeting.

Next Meeting Date(s): The next meeting of the Local Option Committee will be Tuesday, September 11, 2012 from 10:30 a.m. – 12:00 a.m. at the offices of the Department for Local Government, 1024 Capital Center Dr., Ste. 340, Frankfort, Kentucky. This Committee will have regular meetings the 2nd Tuesday of each month through December 2012 at the same location. Other meetings will be scheduled as needed.



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Member Input: No member input or comments.

Adjournment: The Local Option Committee meeting was adjourned at 11:17 a.m.